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09/845,000	04/28/2001	Rudy J. Simon	01-002	1407

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EXAMINER

YIMAM, HARUN M

ART UNIT PAPER NUMBER

2611

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/845,000

Applicant(s)

SIMON, RUDY J.

Examiner

Harun M. Yimam

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/23/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Information Disclosure Statement

1. The Non Patent Literature document – “Illustration on packing box of Pioneer Home Theater System” in the IDS filed on July 23, 2001 is either missing or not provided by the applicant and has not been considered by the examiner. Please provide a copy of this NPL document for consideration.

Claim Objections

2. Claim 27 is objected to because of the following informalities:
Claim 27 is written to be dependent of claim 29. However, there is no claim 29. The examiner believes that claim 27 should depend on claim 26, and will be examined as understood by the examiner.
Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 17 is rejected under 35 U.S.C. 102(e) as being anticipated by Ogasawara (US 6543052).

As for claim 17, Ogasawara discloses a television-set-top-box combination (column 3, lines 1-4) comprising a cabinet (see figure 4) and a purchase payment means (88 in figure 4 and column 8, lines 27-44) for purchasing goods and services (column 9, lines 38-44 and column 10, lines 17-20) from television programs broadcast through said television.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond (US 6,571,392) and Ozaki (US 5,602,581).

The term "A cable/satellite/internet-ready television" is interpreted to be "A cable or satellite or internet-ready television".

With regards to claim 1, Zigmond discloses an internet-ready (column 5, lines 23-25) television comprising a television chassis, screen (202 in figure 2 and column 7, line 5), and a cabinet (Figure 2 and column 5, lines 4-9). Zigmond also discloses a television control panel (column 5, line 36-37) that includes a transmission mode (column 5, lines 23-32), a television tuner (302 and 310 in figure 4, column 5, lines 50-52 and column 7, lines 1-6) having a first tuner input and a second tuner input, wherein said television control panel and said television tuner are built into said cabinet (column 5, lines 13-16 and lines 4-5). Zigmond fails to disclose a purchase-payment means for purchasing goods and services from television programs broadcast through said television.

In an analogous art, Ozaki discloses a purchase-payment means (26 in figure 2 and column 2, lines 25-32) for purchasing goods and services from television programs broadcast through said television (column 2, lines 26-28).

It would have been obvious to one of ordinary skill in the art to modify Zigmond's system to include a purchase-payment means, as taught by Ozaki, for the benefit of purchasing goods and services from television broadcast programs.

Zigmond and Ozaki meet the limitations of claim 2. In particular, Ozaki discloses a credit card reader (26 in figure 2 and column 2, lines 33-43) for the purchase payment means that is incorporated within said cabinet (column 1, lines 38-41 and lines 45-51).

Regarding claim 3, Zigmond and Ozaki disclose a wireless control system (Zigmond—column 5, lines 3-9) integrated into a television cabinet.

Considering claim 4, Zigmond and Ozaki disclose a remote control device (Zigmond—column 5, lines 6-9) capable of communicating with said television by means of said wireless control system (column 5, lines 3-9).

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki as applied to claim 4 above, and further in view of Erlin (US 5,870,155).

As for claim 5, Zigmond and Ozaki fail to disclose a credit card reader incorporated within the remote control device.

In an analogous art, Erlin discloses cable television system comprising a remote control with an integrated credit card reader (figures 1 and 3) for making payment of items purchased or services rendered. See col. 1, lines 41-52 and col. 4, lines 45-56.

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include a card reader incorporated within the remote control device, as taught by Erlin, for the advantage of making payment of items purchased or services rendered.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki as applied to claim 4 above, and further in view of Maymudes (US 6,748,278).

With regards to claim 6, Zigmond and Ozaki disclose a remote control device. Zigmond and Ozaki fail to disclose a cellular phone included in the said remote control device.

In an analogous art, Maymudes discloses a remote control device that includes a cellular phone (column 3, lines 47-49). This enables a user to utilize a single hand held device to perform dual functions: to make phone calls and control a receiver (column 3, lines 41-55).

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include a cell phone in the remote control device, as taught by Maymudes, for providing dual functions of making calls and controlling a receiver device.

9. Claims 7, 8, 9, 18, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki as applied to claim 1 above, and further in view of Ozawa (US 2001/0030959).

Regarding claims 7 and 18, Zigmond and Ozaki disclose a television cabinet. Zigmond and Ozaki fail to disclose a DVD player integrated within the said cabinet.

In an analogous art, Ozawa discloses a Set Top box comprising a DVD player integrated within the system (paragraph 0038, lines 4-6).

It would have been obvious to one of ordinary skill in the art to modify the combined system to include a DVD player comprised within the said cabinet, as taught by Ozawa, for the benefit of providing a convenient integrated unit.

Considering claims 8, 9, 19 and 20, Zigmond and Ozaki disclose a television cabinet. Zigmond and Ozaki fail to disclose a camera, wherein the said camera is a digital camera, integrated within the said cabinet.

In an analogous art, Ozawa discloses a digital camera (paragraph 0024, lines 1-4) integrated within the Set Top box for image transfer and visual communication over the Internet.

It would have been obvious to one of ordinary skill in the art to modify the combined system to include a digital camera comprised within the said cabinet, as taught by Ozawa, for the benefit of transferring images and conducting visual communication over the Internet.

10. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki as applied to claim 3 above, and further in view of Darbee (US 6,130,726).

As for claims 10 and 11 Zigmond and Ozaki fail to disclose an infra-red system and control device, a radio system, and a radio receiver/transmitter for transmitting between the television and remote control device.

In an analogous art, Darbee discloses an infra-red system (34 and 35 in figure 2) and control device (column 2, lines 60-64 and column 7, lines 5-10) and a radio system and a radio receiver/transmitter (column 2, lines 60-64, column 9, lines 7-13 and 48 in figure 2) for transmitting information between said television and said remote control device (column 7, lines 5-10 and column 7, lines 18-21) so that the user can view information pertaining to programs and promotions.

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include an infra-red system and control device, a radio system, and a radio receiver/transmitter, as taught by Darbee, for the benefit of transmitting useful information between said television and said remote control device.

11. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki as applied to claim 3 and further in view of Wugofski (US 6,321,382).

With regards to claim 12, Zigmond and Ozaki fail to disclose a computer that comprises a hard drive and a CD-ROM drive integrated within the said television cabinet and external peripheral devices, such as a mouse and a keyboard, that are communicable with said computer via said wireless control system.

In an analogous art, Wugofski discloses a computer system that comprises a hard drive (column 3, lines 35-41) and a CD-ROM drive (column 3, lines 60-65) that is integrated within the said television cabinet (column 3, lines 48-56), wherein computer peripheral devices (keyboard, mouse, etc) are external to said cabinet (column 4, lines 58-64) and are communicable with said computer via said wireless control system (column 4, lines 19-24).

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include a computer that comprises a hard drive and a CD-ROM drive integrated within the said television cabinet and external peripheral devices that are communicable with said computer via said wireless control

system, as taught by Wugofski, for the benefit of having an integrated system that has PC operation as well as TV capability.

Regarding claim 13, Wugofski discloses a mouse and a keyboard (column 4, lines 19-24) as some of the computer peripheral devices for the said television cabinet.

12. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki as applied to claim 1 and further in view of Yang (US 2001/0028723) and Brusaw (US 5,523,781).

Considering claim 14, Zigmond and Ozaki disclose a television cabinet. Zigmond and Ozaki fail to disclose that the television cabinet comprises a plurality of speakers, power amplifier, a sound control panel, and a bass box, wherein all are integrated within the said cabinet.

In an analogous art, Yang discloses a television cabinet comprising plurality of speakers (paragraph 0018, lines 3-4), an amplifier (paragraph 0018, lines 7-9), and a woofer, bass (paragraph 0024, lines 10-12), wherein all are integrated within the said cabinet (paragraph 0018, lines 3-4).

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include a plurality of speakers, a power

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amplifier, and a bass box, integrated within the said cabinet, as taught by Yang, for the benefit of having a surround sound stereo home theatre system.

Zigmond, Ozaki and Yang fail to disclose that the television cabinet comprises a sound control panel.

In an analogous art, Brusaw discloses a television cabinet comprising a TV switch pad (column 5, lines 49-55) located on the front of the television set for adjusting the TV volume.

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond, Ozaki and Yang to include a sound control panel, as taught by Brusaw, for the benefit of controlling the level of sound outputted from the television speakers.

13. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond, Ozaki, Yang and Brusaw as applied to claim 14 above, and further in view of Schindler (US 6,516,467).

As for claim 15, Zigmond, Ozaki, Yang and Brusaw disclose a television cabinet. Zigmond, Ozaki, Yang and Brusaw fail to disclose that the television cabinet comprises at least four speakers.

In analogous art, Schindler discloses a plurality of speakers (column 22, lines 4-5), at least four (160 in figure 1) for outputting surround sound.

It would have been obvious to one ordinary skill in the art to modify the combined system of Zigmond, Ozaki, Yang and Brusaw to include plurality of speakers (at least four), as taught by Schindler, for the benefit of experiencing a better surround sound stereo home theatre system.

14. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki as applied to claim 3 above, and further in view of Schindler (US 6,516,467).

With regards to claim 16, Zigmond and Ozaki disclose a television cabinet. Zigmond and Ozaki fail to disclose that the said cabinet comprises a plurality of external speakers.

In analogous art, Schindler discloses a plurality of speakers (column 22, lines 4-5), at least four (160 in figure 1) for outputting surround sound that are external to the said cabinet (see 160 and 122 in figure 1).

It would have been obvious to one ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include plurality of external speakers, as taught by

Schindler, for the benefit of experiencing a better surround sound stereo home theatre system.

15. Claims 21, 22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki and further in view of Wugofski (US 6,321,382).

With regards to claim 21, Zigmond discloses an internet-ready (column 5, lines 23-25) television comprising a television chassis, screen (202 in figure 2 and column 7, line 5), and a cabinet (Figure 2 and column 5, lines 4-9). Zigmond also discloses a television control panel (column 5, line 36-37) that includes a transmission mode (column 5, lines 23-32), a television tuner (302 and 310 in figure 4, column 5, lines 50-52 and column 7, lines 1-6) having a first tuner input and a second tuner input, wherein said television control panel and said television tuner are built into said cabinet (column 5, lines 13-16 and lines 4-5). Zigmond fails to disclose a purchase-payment means for purchasing goods and services from television programs broadcast through said television and a computer system integrated within the said television cabinet, wherein computer peripheral devices are external to said cabinet and are communicable with said computer via said wireless control system.

In an analogous art, Ozaki discloses a purchase-payment means (26 in figure 2 and column 2, lines 25-32) for purchasing goods and services from television programs broadcast through said television (column 2, lines 26-28).

It would have been obvious to one of ordinary skill in the art to modify Zigmond's system to include a purchase-payment means, as taught by Ozaki, for the benefit of purchasing goods and services from television broadcast programs.

Zigmond and Ozaki fail to disclose a computer system integrated within the said television cabinet, wherein computer peripheral devices are external to said cabinet and are communicable with said computer via said wireless control system.

In an analogous art, Wugofski discloses a computer system that is integrated within the said television cabinet (column 3, lines 48-56), wherein computer peripheral devices are external to said cabinet (column 4, lines 58-64) and are communicable with said computer via said wireless control system (column 4, lines 19-24).

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include a computer system that is integrated within the said television cabinet wherein external peripheral devices are communicable with said computer via said wireless control system, as taught by Wugofski, for the benefit of having an integrated system that has PC operation as well as TV capability.

Regarding claim 22, Wugofski additionally discloses a personal computer system that comprises a hard drive (column 3, lines 35-41) and a CD-ROM drive (column 3, lines 60-65) for data storage purposes and for configuring the storage device respectively and a mouse and a keyboard (column 4, lines 19-24) as some of the computer peripheral devices.

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond, Ozaki and Wugofski to include a personal computer that comprises a hard drive and a CD-ROM, as taught by Wugofski, for the benefit of storing large volume of data.

Claim 25 is met by Zigmond, Ozaki and Wugofski. In particular, Wugofski discloses a mouse and a keyboard (column 4, lines 19-24) as some of the computer peripheral devices for the said television cabinet.

16. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond, Ozaki and Wugofski as applied to claim 21 above, and further in view of Darbee (US 6,130,726).

As for claims 23 and 24, Zigmond, Ozaki and Wugofski fail to disclose an infra-red system and control device, a radio system, and a radio receiver/transmitter for transmitting between the television and remote control device.

In an analogous art, Darbee discloses an infra-red system (34 and 35 in figure 2) and control device (column 2, lines 60-64 and column 7, lines 5-10) and a radio system and a radio receiver/transmitter (column 2, lines 60-64, column 9, lines 7-13 and 48 in figure 2) for transmitting information between said television and said remote control device (column 7, lines 5-10 and column 7, lines 18-21) so that the user can view information pertaining to programs and promotions.

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond, Ozaki and Wugofski to include an infra-red system and control device, a radio system, and a radio receiver/transmitter, as taught by Darbee, for the benefit of transmitting useful information between said television and said remote control device.

17. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond and Ozaki and further in view of Yang (US 2001/0028723) and Brusaw (US 5,523,781).

Regarding claim 26, Zigmond discloses a television cabinet. Zigmond fails to disclose a purchase-payment means for purchasing goods and services from television programs broadcast through said television and a television cabinet comprising a sound control panel, plurality of speakers, power amplifier, and a bass box, wherein all are integrated within the said cabinet.

In an analogous art, Ozaki discloses a purchase-payment means (26 in figure 2 and column 2, lines 25-32) for purchasing goods and services from television programs broadcast through said television (column 2, lines 26-28).

It would have been obvious to one of ordinary skill in the art to modify Zigmond's system to include a purchase-payment means, as taught by Ozaki, for the benefit of purchasing goods and services from television broadcast programs.

Zigmond and Ozaki fail to disclose a television cabinet that comprises a sound control panel, plurality of speakers, power amplifier, and a bass box, wherein all are integrated within the said cabinet.

In an analogous art, Yang discloses a television cabinet comprising plurality of speakers (paragraph 0018, lines 3-4), an amplifier (paragraph 0018, lines 7-9), and a woofer, bass (paragraph 0024, lines 10-12), wherein all are integrated within the said cabinet (paragraph 0018, lines 3-4).

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond and Ozaki to include a plurality of speakers, power amplifier, and a bass box, integrated within the said cabinet, as taught by Yang, for the benefit of having a surround sound stereo home theatre system.

Zigmond, Ozaki and Yang fail to disclose that the television cabinet comprises a sound control panel.

In an analogous art, Brusaw discloses a television cabinet comprising a TV switch pad (column 5, lines 49-55) located on the front of the television set for adjusting the TV volume.

It would have been obvious to one of ordinary skill in the art to modify the combined system of Zigmond, Ozaki and Yang to include a sound control panel, as taught by Brusaw, for the benefit of controlling the level of sound outputted from the television speakers.

18. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond, Ozaki, Yang and Brusaw, as applied to claim 26 above, and further in view of Schindler (US 6,516,467).

Regarding claim 27, Zigmond, Ozaki, Yang and Brusaw disclose a television cabinet comprising a sound control panel, a plurality of speakers, a power amplifier, and a woofer, wherein all are integrated within the said cabinet. Zigmond, Ozaki, Yang and Brusaw fail to disclose that the said television cabinet comprises at least four speakers.

In analogous art, Schindler discloses a plurality of speakers (column 22, lines 4-5), at least four (160 in figure 1) for outputting surround sound.

It would have been obvious to one ordinary skill in the art to modify the combined systems of Zigmond, Ozaki, Yang and Brusaw to include plurality of speakers, as taught by Schindler, for the benefit of experiencing a better surround sound stereo home theatre system.

Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harun M. Yimam whose telephone number is 703-305-0636. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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PRIMARY EXAMINER